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October 30, 2020

VIA ECF

Hon. Alvin K. Hellerstein
Daniel Patrick Moynihan
United States Courthouse
500 Pearl Street
New York, NY 10007

Re: *S.G. obo P.C. v. N.Y.C. Dep't of Educ.*, 20-cv-03529 (AKH)(KNF)

Dear Judge Hellerstein:

I am an Assistant Corporation Counsel in the office of Corporation Counsel James E. Johnson, attorney for Defendant in the above-referenced action wherein Plaintiff seeks attorneys' fees, costs and expenses for legal work on an administrative hearing under the Individuals with Disabilities Education Act, 20 U.S.C. §1400, *et seq.*, as well as for this action.

I write to respectfully request an adjournment of initial pre-trial conference on November 6, 2020 at 10:00 a.m., *sine die*. Plaintiff consents to this request. The need for this request is to allow the parties additional time to attempt to fully resolve this matter without burdening the Court with further litigation. The parties are currently negotiating possible settlement and are at the counter-offer discussion phase.

Additionally, Defendant proposes that the parties submit a status letter no later than November 30, 2020, either informing the Court that the case has fully resolved, or (a) proposing a briefing schedule, or (b) requesting referral to Magistrate Judge Fox for assistance with settlement if the parties believe that is appropriate at that time.

Defendant notes the Complaint in this matter was filed on May 5, 2020, and that the vast majority of these IDEA fees-only cases are resolved within six months after the filing of the complaint without the need for significant litigation. *See, e.g., S.G., et al v. New York City Department Of Education*, 19-cv-07042(JPO); *I.F. et al v. New York City Department of Education*, 19-cv-04312(JPO); *E.S., et al v. New York City Department of Education*, 19-cv-01847(JPO).

The conf. is adjourned to Dec. 4, 2020, 10:00 a.m. as has not been settled by then, plaintiff shall deliver a contemporaneous schedule of 25 two days before the conference, by Nov 11. 2020

Accordingly, Defendant respectfully requests that the initial pre-trial conference set for November 6, 2020 at 10:00 a.m. be adjourned, *sine die*, and that the parties submit a status letter no later than November 30, 2020

Thank you for considering this request.

Respectfully submitted,

/s/

Gary L. Bristol

Senior Counsel

cc: Kate E. Cassidy, Esq.
Rebecca C. Shore, Esq. (via ECF)
Attorneys for Plaintiff